

**SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM**

SUBJECT: REQUEST FOR (1) LOT SIZE VARIANCE FROM 43,560 SQUARE FEET TO 34,000 SQUARE FEET AND (2) FRONT YARD SETBACK VARIANCE FROM 50 FEET TO 40 FEET FOR A PROPOSED HOME (JAIRO GONZALEZ, APPLICANT).

DEPARTMENT: Planning & Development **DIVISION:** Planning

AUTHORIZED BY: Earnest McDonald **CONTACT:** Kathy Fall **EXT.** 7489

Agenda Date 06-23-03 **Regular** ☐ **Consent** ☐ **Public Hearing – 6:00** ☒

MOTION/RECOMMENDATION:

1. **APPROVE** THE REQUEST FOR (1) LOT SIZE VARIANCE FROM 43,560 SQUARE FEET TO 34,000 SQUARE FEET AND (2) FRONT YARD SETBACK VARIANCE FROM 50 FEET TO 40 FEET FOR A PROPOSED HOME (JAIRO GONZALEZ, APPLICANT); OR
2. **DENY** THE REQUEST FOR (1) LOT SIZE VARIANCE FROM 43,560 SQUARE FEET TO 34,000 SQUARE FEET AND (2) FRONT YARD SETBACK VARIANCE FROM 50 FEET TO 40 FEET FOR A PROPOSED HOME (JAIRO GONZALEZ, APPLICANT); OR
3. **CONTINUE** THE REQUEST TO A TIME AND DATE CERTAIN.

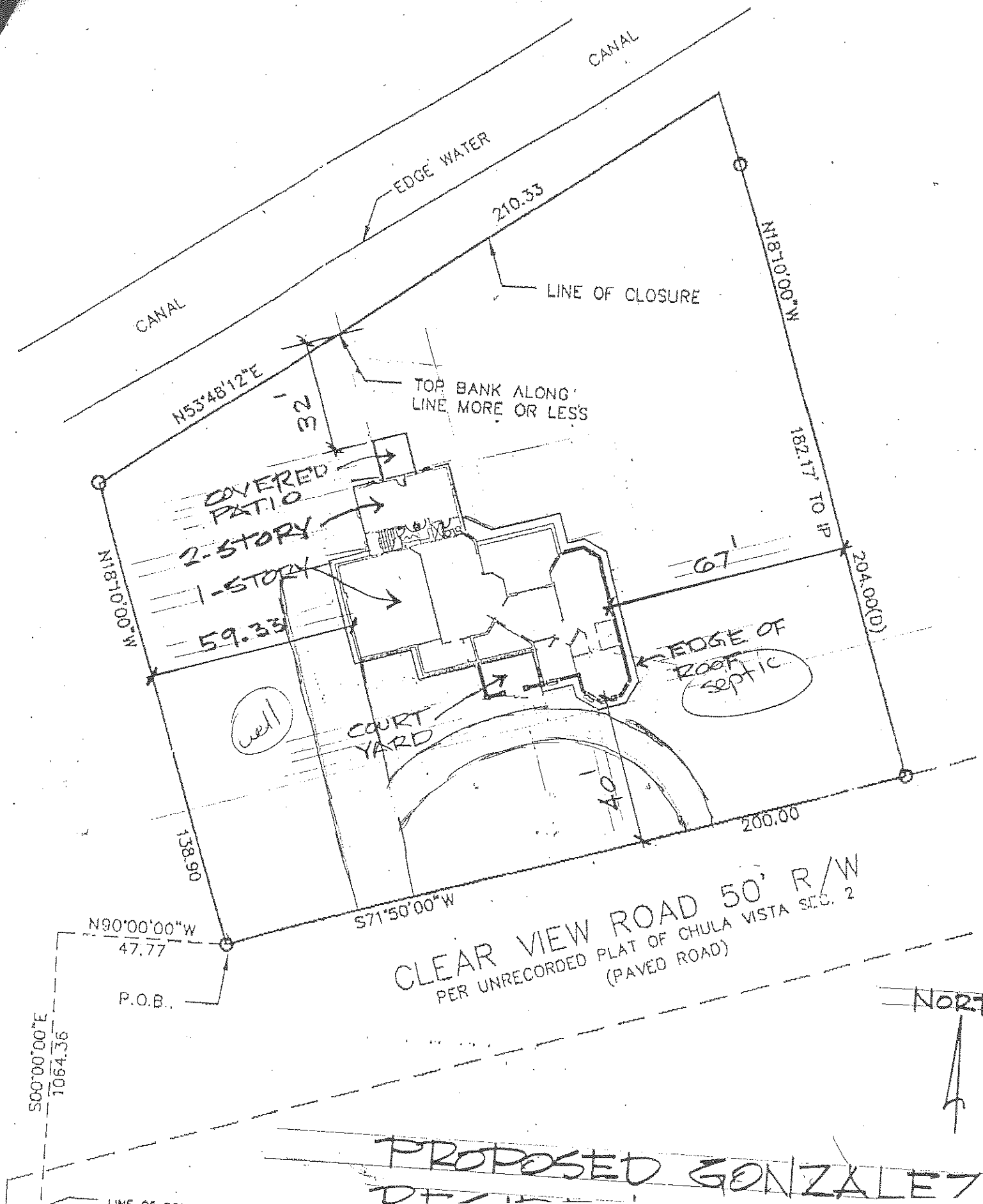
(District 1 – Commissioner Maloy)

(Kathy Fall, Senior Planner)

GENERAL INFORMATION	<p>APPLICANT: JAIRO GONZALEZ</p> <p>LOCATION: 218 CLEARVIEW DRIVE (CHULA VISTA)</p> <p>ZONING: A-1 (AGRICULTURE DISTRICT)</p>
BACKGROUND/ REQUEST	<ul style="list-style-type: none"> • THE PROPERTY IS ZONED A-1 (AGRICULTURE DISTRICT), WHICH REQUIRES A MINIMUM LOT SIZE OF 43,560 SQUARE FEET; THE EXISTING LOT IS APPROXIMATELY 34,000 SQUARE FEET AND THEREBY NONCONFORMING WITH RESPECT TO THE A-1 STANDARD. • THE APPLICANT PROPOSES TO CONSTRUCT A SINGLE FAMILY HOME THAT WOULD ENCROACH 10 FEET INTO THE FRONT YARD SETBACK. • THE STATED VARIANCES ARE REQUESTED TO MAKE THE EXISTING SUBSTANDARD LOT CONFORMING AND

	SUBSEQUENTLY ALLOW THE CONSTRUCTION OF THE PROPOSED HOME.
STAFF FINDINGS	<ul style="list-style-type: none">• THE FLOOR PLAN OF THE PROPOSED HOME COULD BE MODIFIED TO COMPLY WITH THE MINIMUM SETBACK STANDARDS OF THE A-1 DISTRICT; THEREFORE, THE REQUESTED FRONT YARD SETBACK VARIANCE IS NOT THE MINIMUM THAT WOULD ENSURE REASONABLE USE OF THE SUBJECT PROPERTY. THE GRANT OF THE SAME WOULD ALSO CONFER ON THE APPLICANT SPECIAL PRIVILEGES THAT ARE DENIED TO OTHER PROPERTIES IN THE A-1 DISTRICT.• THE SUBJECT LOT WAS CREATED PRIOR TO THE ADOPTION OF COUNTYWIDE ZONING IN 1960. THEREFORE, THE LITERAL INTERPRETATION AND APPLICATION OF THE A-1 MINIMUM LOT SIZE WOULD RESULT IN AN UNBUILDABLE LOT AND DEPRIVE THE APPLICANT OF THE ABILITY TO CONSTRUCT A SINGLE-FAMILY HOME, WHICH IS AN EXPRESSLY PERMITTED USE.
STAFF RECOMMENDATION	<p>STAFF THEREBY RECOMMENDS THE BOARD OF ADJUSTMENT <u>DENY</u> THE VARIANCE FOR THE REQUESTED FRONT YARD SETBACK REDUCTION AND <u>APPROVE</u> THE VARIANCE FOR THE REQUESTED LOT SIZE REDUCTION, BASED ON THE ENUMERATED FINDINGS. IF THE BOARD SHOULD DECIDE TO GRANT EITHER OR BOTH OF THE REQUESTED VARIANCES, STAFF RECOMMENDS THE IMPOSITION OF THE FOLLOWING CONDITIONS:</p> <ul style="list-style-type: none">• ANY VARIANCE GRANTED SHOULD APPLY ONLY TO THE PROPOSED HOME AS SHOWN ON THE ATTACHED SITE PLAN.• ANY ADDITIONAL CONDITIONS DEEMED APPROPRIATE BY THE BOARD, BASED ON INFORMATION PRESENTED AT THE PUBLIC HEARING.

A.K.A. LOT 229 CHULA VIATA SECTION 2, UNRECORDED PLAT



PROPOSED GONZALEZ